

U. S. WEATHER BU.
REAU, NOV. 27--Last 24
hours' rainfall, .00; tem-
perature, max. 75, min.
61. Weather, Fair and
cool.

Sunday



Advertiser.

SUGAR—96° Test Cen-
trifugals, 4.65; Per Ton,
\$93; 88 Analysis Beets,
13s 10 1/4; Per Ton \$100.06.

VOL. II., NO. 100.

HONOLULU, HAWAII TERRITORY, SUNDAY, NOVEMBER 27, 1904.—TWELVE PAGES.

Entered Jan. 19, 1903, at Honolulu, Hawaii, as Second
Class Matter, Under Act of Congress, of March 3, 1879.

SUBPOENA TAKES PLACE OF CARTER CITATION

**But the Governor Refuses to Obey
It So What Will
Gear Do?**

"I WILL NOT ANSWER THE LAST SUB-
POENA TO APPEAR IN JUDGE GEAR'S
COURT."—Governor Carter in conversation yes-
terday.

Coming down a step as gracefully as may, it became evident yesterday afternoon that Judge Gear and the attorneys for the defense in the Mahaulu case had concluded not to cite the Governor to show cause why he should not be punished for contempt of the Circuit Court in refusing to obey a subpoena duces tecum to appear in court and bring with him any paper he might have in the nature of or purporting to be the resignation of Auditor Fisher.

Instead of a citation for contempt, a plain subpoena to appear as a witness in the case was served upon the Governor in his office yesterday. This put an entirely different face upon the matter, but did not change the Governor's attitude.

"I will not answer the last subpoena to appear in Judge Gear's court," said the Governor. "I do not believe that it comports with the dignity of the Territory for this department to be at the beck and call of any other."

"I have prepared a letter to the Attorney-General in response to the paper served upon me, and I have no objection to the publication of that letter."

THE GOVERNOR'S LETTER.

The letter from Governor Carter to the Attorney-General is as follows:

November 26, 1904.

Lorrin Andrews, Esq., Attorney General, Territory of Hawaii.

Dear Sir:—In response to the enclosed summons served on me this morning, to appear as a witness in Judge Gear's court at 10 o'clock on Monday morning, out of respect to this court, a co-ordinate Department of the Territory, I desire you to appear in person on my behalf, and inform the Court that I have no information which could possibly be of service in connection with the case in question, and do not believe it is compatible with the dignity of the office I hold to allow it to be subjected to the orders of the Court, as prompted by the whims or opinions of attorneys. It is the law that should be obeyed, not the lawyers.

The absence of the Secretary of the Territory makes the demands on my time for the details of this office far in excess of what is usual, and in my opinion, high public interests might suffer if I admitted that the Courts had a right to command my attendance. As yet, I have never refused to attend voluntarily and testify in any case, where I have been consulted and my evidence shown to be necessary.

Very respectfully,

GEORGE R. CARTER,
Governor.

The form of subpoena served upon the Governor yesterday is given below, being the regular form of such court papers:

In the Circuit Court of the First Circuit, Territory of Hawaii.

Territory of Hawaii,

Subpoena.

Stephen Mahaulu

The Territory of Hawaii:

To the High Sheriff of the Territory of Hawaii, or his Deputy; the Sheriff of the Island of Oahu, or his Deputy; or any Constable in the Territory of Hawaii:

You are commanded to subpoena George R. Carter to appear at the Court-house in Honolulu, Island of Oahu, before Hon. Geo. D. Gear, on Monday, the 28th day of November, 1904, at ten (10) o'clock A. M., to testify as witness on the part of the defendant in the above entitled matter.

Hereof fail not, and of this process make due return.

Witness the Honorable Geo. D. Gear, 2d Judge of the Circuit Court of the First Circuit, this 26th day of November, 1904.

J. A. THOMPSON,
Clerk.

Endorsed:

Circuit Court, First Circuit, Territory of Hawaii v. Stephen Mahaulu.

THE FURTHER PROCEEDINGS.

Following the instructions of the Governor, the Attorney-General will appear before Judge Gear when the Mahaulu case is called on Monday, and make the statement of the Chief Executive's position as indicated in the letter.

It will then be up to Judge Gear and the attorneys for the defense of Mahaulu. Whether contempt proceedings will be instituted, or whether the whole matter will be allowed to drop, is a matter that cannot, of course, be foretold at this time.

As to Auditor Fisher's part in the matter, he is the Auditor de facto of the Territory in any event—and that would seem to settle the status of his testimony.

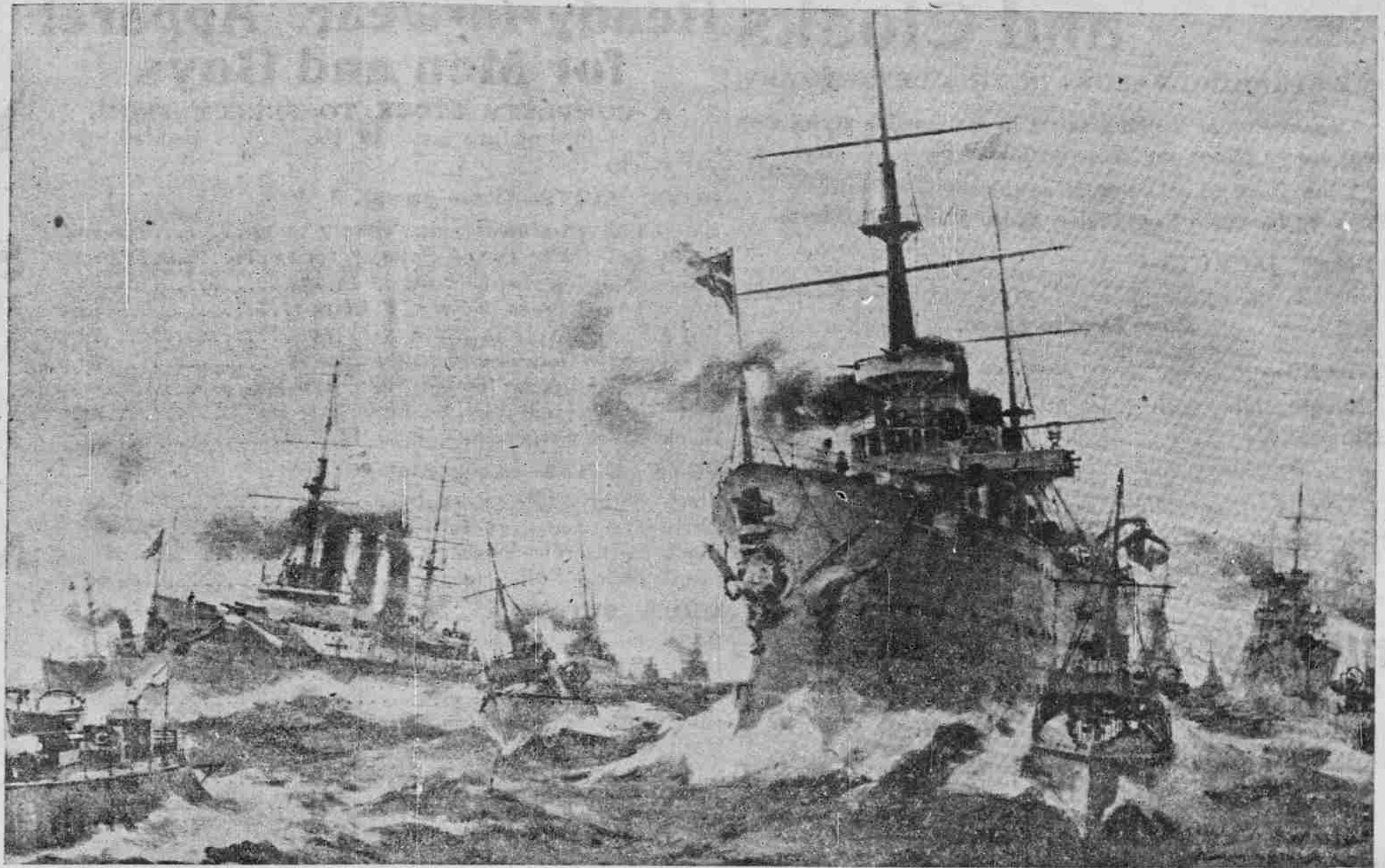
FEDERAL GRAND JURY WILL HOLD A SPECIAL SESSION

Ever since the election there has been a growing sentiment of dissatisfaction in the minds of some of the defeated candidates over the circumstances that numbered ballots were voted in certain election precincts. It will be remembered that, immediately following the election, there were charges of fraud made, more or less openly, but the whole thing simmered down to a matter of mere stupidity on the part of some few election officers, and it was supposed that the decisive vote by which the result was determined had settled the matter.

Well, it hasn't. It seems that the late Democratic candidate for Delegate for Congress has not been willing to let the thing rest, and United States District Judge Dole has decided, it is said, to issue a call for a special session of the Federal grand jury on Monday to look into the matter of the alleged irregularities.

"I don't know anything about it."
(Continued on page 12.)

AN ATTACK BY SWORDSMEN



THE BALTIC FLEET IN THE NORTH SEA.

GLANDERS IS IN TOWN

**Animal Inspectors Take
Active Repressive
Measures.**

"There have been a few cases of glanders, and we are hunting it down as fast as we can."

Walter F. Dillingham, member of the Board of Animal Inspectors, gave the foregoing answer to an Advertiser reporter's question yesterday.

"The Board is getting actively to work," Mr. Dillingham continued, "to locate all suspicious cases and quarantine them until we can decide whether or not they have the disease."

"In this connection, it is very important to all stock owners in the country to assist in every way to round up these cases, and, as a special inducement, the law puts a penalty upon concealment, whether one conceals his own infected horse or holds back information about another's."

"So far we have located only two cases, in the last three weeks. Yes, they were in town. It is generally believed that glanders has been present for a number of years, but the development of a number of cases within the past three months has led to the taking of active steps to stamp out the disease altogether."

"The Board is hampered by having no appropriation with which to work, but we are hoping to get assistance from the Board of Health and also an advance of necessary funds from the Stock Breeders' Association, the idea being that any advances made by private institutions will be reimbursed through special act of the Legislature."

"All animals coming into the country are subjected to careful examina-

tion by our executive inspector, Dr. Rowat, or by Dr. Katsunuma, the other veterinary member of the Board."

SMASHED HIS WIFE AND FIRED THE HOUSE

James Nuahiwa had a rather strenuous evening last night. He lives out at the Kalihi Camp and celebrated Saturday afternoon by getting gloriously drunk. His wife objected to his actions and as a gentle reproof he knocked her down and pounded her. He then thought of a brilliant scheme. Paper and matches were handy and he started in to burn down the house. A relative of Nuahiwa's wife had been attracted by the noise of the fight and put in an appearance just at this point, quenched the fire, smashed Nuahiwa over the eye and threw him out into the road. To finish matters up in style he summoned the police and Nuahiwa was carried off in disgrace. On arriving at the police station it was found he had a bad cut over the eye. This was soon mended, however, at the hospital and Nuahiwa is now locked up.

AUTO FIESTA TO ADVERTISE ISLANDS

Photographs and newspapers describing the Thanksgiving Day automobile fiesta were sent on the Gaelic to all the motor magazines and to various sections of the country which are enthusiastic over automobilism. It is believed the fiesta will prove a fine advertisement for Hawaii as a winter resort.

BEAR TO START DECEMBER 1

Collector of Customs Stackable has received advices to the effect that the revenue cutter Bear will sail from San Francisco for Honolulu about December 1.

ORGANIZED LABOR.

(ASSOCIATED PRESS CABLEGRAMS.)

SAN FRANCISCO, Nov. 27.—The American Federation of Labor has reelected its old officers. The next meeting will be held in Pittsburg, Pa.

THE PRESIDENT BANQUETED.

ST. LOUIS, Nov. 27.—The President was banqueted last evening by the Exposition officials.

SERVICE FOOTBALL.

PHILADELPHIA, Nov. 27.—West Point, 11; Annapolis, 0.

Japanese Return to Their Ancient Fighting Meth- ods at Port Arthur.

(ASSOCIATED PRESS CABLEGRAMS.)

TOKIO, Nov. 27.—The assault on Port Arthur is progressing. Generals Nakamura and Saito are leading large bodies of trained swordsmen into the Russian trenches where bloody encounters are taking place with results so far unknown.

These troops are probably using the old two-handed swords of the Samurai. The Tycoon's troops in the revolution of 1868 fought with these splendid weapons with which rifle barrels were cut fairly in two and dreadful mortality caused among the imperial soldiery.

NO LONGER VICEROY.

LONDON, Nov. 27.—It is reported that Admiral Alexieff has been relieved of the viceroyalty of Manchuria.

THEY KEEP THE SHIP.

ST. PETERSBURG, Nov. 27.—The supreme prize court has confirmed the seizure of the British steamer Cheltenham.

AFTERNOON REPORT.

MUKDEN, Nov. 26.—The Japanese forces attacked Pontiloff Hill November 24th and were repulsed.

SUEZ, Nov. 26.—Two Russian battleships have arrived from Port Said on the way to the Orient.

WESTMINSTER CONFESSION DISCARDED BY SCHOLARS

NEW YORK, Nov. 27.—The Union Theological Seminary has discarded the Westminster Confession of Faith and adopted a new creed.

The famous Westminster Confession of Faith was adopted together with the Catechisms and other church works bearing the same name, by the Westminster Assembly which convened in London in 1643 and remained in session for upwards of five years. They were adopted by Parliament and by the Church of Scotland and are today the chief doctrinal standard of most of the Presbyterian churches of America and Great Britain as well as the Church of Scotland. They are founded on the principle that the Scriptures are divinely inspired and are the only infallible rule of faith and conduct.

The system deduced from this premise is one in which the idea of the sovereignty of God is paramount. Divine love and Human freedom are affirmed and all deep ethical and spiritual truths or experiences are granted but above all is the idea that God controls beforehand his creatures and their actions. Some of the principal doctrines enunciated in the Confession are: First, the Trinity the same in substance and equal in power and glory; second, man morally depraved by nature; third, Jesus Christ as an atoning Saviour; fourth, justification by faith in the Redeemer; fifth, regeneration and sanctification by the Holy Ghost; sixth, eternal happiness in the other world for the believers, and eternal punishment for the finally impenitent. During later years the original doctrine has been much modified in its acceptance by the Presbyterian church in the United States of America. At its General Assembly at Los Angeles in 1903 the part of the confession regarding predestination was amended.